

Appln. No. 09/806,837
Amdt. dated March 30, 2004
Reply to Office Action of January 14, 2004

REMARKS

Applicants respectfully request the Examiner to enter this Amendment.

Applicants attach a PTO-1449 form listing the document cited in the May 12, 2003 IDS and attach a duplicate form listing the documents cited in the ISR. It is noted that the IPER is also of record herein. Applicants expressly acknowledge with appreciation the Examiner's having considered the Search Report and the references (Office Action, page 2, paragraph 2). The enclosed form(s) respond(s) to the Examiner's helpful comments.

Applicants reserve the right to file divisional or other applications as may be deemed appropriate.

Applicants acknowledge with appreciation that claims 3 and 27 are allowable (Office Action, page 5, paragraph 9).

Applicants' representative acknowledges the Examiner's courtesy during a discussion conducted on or about February 9, 2004. The Examiner and the undersigned discussed proposed claim amendments. The proposed claim amendments were intended to be presented with amended language taking into account allowable claims 3 and 27. Claim 14 was discussed and it is understood that statement(s) of intended use are not per se required in a claim to a compound or composition. As discussed, new claims 31 et seq. are also similarly drafted to be drafted to allowable subject matter, viz the subject matter of claims 3 and/or 27.

The claims presented in this Amendment are intended to be in accord with the proposed claims presented for discussion with the Examiner, with any additional editorial changes noted for the Examiner's further consideration and to ensure an adequate record.

Upon entry of this Amendment, Applicants respectfully suggest the claims are in condition for allowance. Amended claims 1 and 2 include the substance of allowable claim 3 and therefore their dependent claims (amended) are also thought to be allowable.

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Amended dependent claim 7 defines the sclerotic or fibrotic disease as liver fibrosis and is thought to be consistent with allowable claims 3 and 27. Amended claim 14 is presented in more conventional U.S. claim language as discussed with the Examiner during the interview on or about February 9, 2004, save for the revised language relating to the further molecule, which latter language avoids new matter while providing antecedents for claims 18 and 19 and while being consistent with language in claims 1 and 2. Amended claims 18 and 19 were not previously discussed with the Examiner but the editorial revisions for grammar are thought to be minor (changing "of" to "in" and inserting a comma) and are not intended to affect claim scope. Amended claim 25 incorporates language similar to amended claim 14 (the sclerotic or fibrotic disease as liver fibrosis) and as amended depends from any one of claims 14 or 18-23. Amended claim 26 refers to a method of using a compound according to any one of claims 14 or 18-23 for the preparation of a medicament for in vivo diagnosis, prophylaxis and/or therapy of liver fibrosis or kidney fibrosis, which is thought to be consistent with the Examiner's indication of allowable subject matter. Amended dependent claims 28-30 delete reference to "said chronic or acute inflammatory process is rheumatoid arthritis," which may be pursued in a further application, leaving what is understood to be allowable subject matter. New claims 31, 32, 33 and 34 are intended to be based on allowable claim 27 and are substantively comparable to claims discussed with the Examiner.

Applicants respectfully present these claim amendments in an effort to advance prosecution. Applicants' amended claims are without prejudice to pursuing such appropriate additional patent protection, as noted above, in a divisional and/or continuation application.

Applicants have endeavored to respond to all matters in an effort to advance patent prosecution. If by chance the Examiner believes that some matter was overlooked, please telephone the undersigned so that all matters are resolved with a view towards favorable action on the merits.

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If the Examiner has any questions or proposals for successfully advancing patent prosecution, kindly telephone Applicants' representative.

Applicants respectfully request entry of their Amendment After Final Rejection and respectfully solicit a Notice of Allowance.

Respectfully submitted,

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